

Examiner-Initiated Interview Summary

Application No.

09/539,032

Applicant(s)

BRAHMACHARI ET AL.

Examiner

Marjorie A. Moran

Art Unit

1631

All Participants:(1) Marjorie A. Moran.(2) John Freeman.**Status of Application:** _____

(3) _____

(4) _____

Date of Interview: 1 March 2004**Time:** _____**Type of Interview:**☒ Telephonic☐ Video Conference☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

All pending

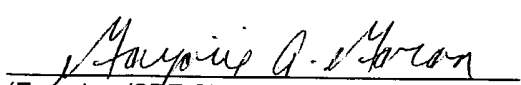
Claims discussed:

All pending

Prior art documents discussed:

*None***Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet***Part III.**☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.
(Examiner/SPE Signature)_____
(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner informed the attorney in a message that the after-final amendment and arguments filed 2/9/04 had been fully considered but that the amendment would not be entered as it introduces new issues and the possibility of new matter. The examiner stated that she could not find any support in the originally filed specification or claims for the proposed step of comparing proteins of nonpathogenic vs. pathogenic organisms in order to select a conserved peptide not found in both. Pages 14-16 of the original specification disclose comparison of peptides between pathogenic and nonpathogenic organisms, but there is no teaching for then selecting a conserved peptide which is not conserved in both types of organisms. Further, the term "proteome" is still undefined. The examiner invited the attorney to call back to further discuss the issues and possibly point to support for the proposed amendment. Mr. Freeman did not reply to the examiner's message. .